



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

# NEWS RELEASE

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Department of Toxic Substances Control

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CONTACT: Ron Baker  
916.324.3142  
Jeanne Garcia  
818.551.2176

## **Denova Environmental Fined \$2,494,318: Department Revokes Facility Authorization to Operate**

SACRAMENTO---Citing a continuing pattern of violations, danger to local residents, and the facility's inability to comply with hazardous waste management laws, Department of Toxic Substances Control (DTSC) Director Ed Lowry today announced that the Department has issued a Revocation and Enforcement order to Denova Environmental Inc., of Rialto. The order revokes the company's authorization to operate and imposes \$2,494,318 in fines on the facility and its owners.

Let this serve as a warning to those who choose to violate our state's hazardous waste laws that we are serious about protecting public health and the environment," said Lowry.

The order, issued to Denova and to its owners Robert V. Cole and Gene S. Van Houten, was based on their operation and management of the hazardous waste storage and transfer facility at 2610 North Alder Avenue in Rialto. Under the terms of the order, Denova must stop accepting and treating hazardous waste immediately and submit an adequate closure plan to DTSC within fifteen days. The order also requires final closure of the facility within 180 days after DTSC approves the closure plan.

The order and penalty were based on investigations that determined Denova was storing more than twice the authorized amount of hazardous wastes, mixing incompatible hazardous waste and managing explosive hazardous wastes unsafely.

On February 7, 2001, DTSC investigators found that the facility had exceeded its authorized hazardous waste storage capacity of 26,500 gallons by about 34,000 gallons. Nine days later, on February 16, DTSC's inspectors and other agencies responded to a major fire at the facility. DTSC inspectors returned to the site on February 28 to discover that the facility continued to exceed its hazardous waste storage capacity by about 32,000 gallons. On February 28 and March 1, DTSC and the San Bernardino County Sheriff's Department Bomb / Arson Detail discovered potentially unstable explosives at the site. Additional violations were also revealed during these inspections.

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This extensive investigation was undertaken in coordination with several other environmental enforcement agencies including the Federal Bureau of Investigation (FBI), the U.S. Environmental Protection Agency, Federal Bureau of Alcohol, Tobacco and Firearms (ATF), along with San Bernardino County agencies, Fire Department Hazardous Materials Division, Sheriff's Department Bomb / Arson Detail, District Attorney's office and the California Attorney General. The San Bernardino County Sheriff's Department Bomb / Arson Detail has detonated unstable explosives at the site with support from the United States Environmental Protection Agency's Emergency Response Team including the Superfund Technical Assistance and Response.

The order was also based on several DTSC inspections at the facility and was the result of an investigation that began with a search warrant issued by the San Bernardino County Sheriff's Department Bomb / Arson Detail and the District Attorney's office on January 23, 2001, and included information gathered under an FBI search warrant at the facility in February.

Due to the many violations found at Denova's Rialto facility and the risk to public health and safety, DTSC issued an Imminent and Substantial Endangerment order to Denova on March 9, 2001, which today's order amended. The March 9, 2001, order directed the facility to cease receiving waste until it had reduced the amount of waste at the site to below the authorized limit and correct other serious violations.

***DTSC is one of six Boards and Departments within the California Environmental Protection Agency. DTSC's mission is to protect and enhance public health and the environment by regulating the management of hazardous waste and promoting its reduction.***

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"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov)."